

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Woltering *et al.*

Serial No.: 10/586,023

Filed: July 14, 2006

Intl. Appl. No.: PCT/EP2004/014871

Intl. Filing Date: December 31, 2004

For: TRICYCLIC BENZAZEPINE DERIVATIVES AS
SQUALENE SYNTHASE INHIBITORS USED FOR
THE TREATMENT OF CARDIOVASCULAR
DISEASES

Attorney Docket No.: BHC031067

[83382(303989)]

Confirmation No.: 1717

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Examiner: Erich A. Leeser

Attention: Office of Petitions

Mail Stop Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATION OF ELECTRONIC FILING UNDER 37 C.F.R. §1.8

Date of Electronic Submission: February 17, 2009

I hereby certify that this correspondence is being transmitted via the U.S.P.T.O.'s Patent Electronic Business Center in accordance with 37 C.F.R. § 1.6(a)(4) on the date indicated above.

/Gabriel J. McCool/

Signature of Person Transmitting Paper

**PETITION UNDER 37 CFR 1.137(b) FOR REVIVAL OF AN
APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY**

Dear Sir:

A Notification of Missing Requirements Under 35 U.S.C. 371 In The United States

Designated/Elected Office (DO/EO/US) was mailed in this application on June 11, 2008, to which

Applicants unintentionally failed to file a reply. The statutory period for reply to the Notification expired

on January 11, 2009. Applicants have not yet received a copy of the Notice of Abandonment.

Applicants hereby petition for revival of this application under 37 CFR 1.137(b), which was

unintentionally abandoned when Applicants did not file a timely response by January 11, 2009.

In this instance, a grantable petition under 37 CFR 1.137(b) requires (1) a petition fee, (2) a reply to the outstanding Notice of Missing Requirements, and (3) a statement that the entire delay was unintentional. These requirements are met as follows:

(1) Petition fee

Applicants hereby authorize payment from Deposit Account No. 04-1105 of the large-entity fee under 37 CFR 1.17(m) of \$1620.00 for Petition to revive this unintentionally abandoned application.

(2) Reply

The reply is the Response to the Notification of Missing Requirements filed together with this Petition.

(3) Statement

The entire delay in filing the required reply, from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b), was unintentional.

Applicants respectfully note that, pursuant to 37 CFR 1.137(b), a terminal disclaimer is not required since this patent application was filed on or after June 8, 1995.

Dated: February 17, 2009

Respectfully submitted,

By: /Gabriel J. McCool/
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